

STATE OF SOUTH CAROLINA

(Caption of Case)

Farmers Telephone Cooperative, Inc.
Alternative Regulation Plan Pursuant to S. C.
Code Ann. § 58-9-576

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: _____ - _____ - _____

(Please type or print)

Submitted by: Margaret M. Fox

SC Bar Number: 65418

Address: McNair Law Firm, P. A.

Telephone: 803-799-9800

P. O. Box 11390

Fax: 803-753-3219

Columbia, SC 29211

Other:

Email: pfox@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

MCNAIR LAW FIRM, P.A.
ATTORNEYS AND COUNSELORS AT LAW

Margaret M. Fox
pfox@mcnair.net

www.mcnair.net

The Tower at 1301 Gervais Street
1301 GERVAIS STREET, 11th FLOOR
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803)799-9800
FACSIMILE (803)753-3219

March 17, 2008

Mr. Charles L. A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

Re: Farmers Telephone Cooperative, Inc.
Alternative Regulation Plan Pursuant to S.C. Code Ann. § 58-9-576

Dear Mr. Terreni:

Enclosed for filing on behalf of Farmers Telephone Cooperative, Inc. ("FTC"), please find an Alternative Regulation Plan.

The Commission has previously approved local interconnection agreements between FTC and the following entities: MCImetro Access Transmission Services, LLC ("MCI"), Sprint Communications Company, L. P. ("Sprint"), and Managed Services, Inc. ("MSI"). Pursuant to S.C. Code Ann. § 58-9-576(A), any LEC may elect the alternative regulation plan described in S.C. Code Ann. § 58-9-576(B) if the Commission has approved a local interconnection agreement in which the LEC is a participant with an entity determined by the Commission not to be affiliated with the LEC. An Affidavit of Jeffrey L. Lawrimore is being filed with this Plan to certify that FTC is not affiliated with MCI, Sprint, or MSI.

Therefore, having met the statutory requirement for election of alternative regulation, FTC hereby elects to have its rates, terms and conditions determined pursuant to the plan described in S. C. Code Ann. § 58-9-576(B), as set forth in the attached Alternative Regulation Plan, effective May 1, 2008.

In addition to the Alternative Regulation Plan and Affidavit of Jeffrey L. Lawrimore, we are also enclosing a proposed Notice of Filing for the Commission's convenience.

Thank you for your assistance.

Very truly yours,



Margaret M. Fox

Enclosures

cc: C. Dukes Scott, Esquire
Ronald K. Nesmith, Farmers Telephone Cooperative, Inc.

**FARMERS TELEPHONE COOPERATIVE, INC.
ALTERNATIVE REGULATION PLAN
PURSUANT TO S.C. CODE ANN. § 58-9-576**

Filed March 17, 2008
Effective May 1, 2008

1. Introduction

Pursuant to S.C. Code Ann. § 58-9-576(A), any local exchange carrier ("LEC") may elect to have the rates, terms, and conditions of its services determined pursuant to the alternative regulation plan described in S.C. Code Ann. § 58-9-576(B), provided the Public Service Commission of South Carolina ("Commission") has approved a local interconnection agreement in which the LEC is a participant with an entity determined by the Commission not to be affiliated with the LEC. The Commission has approved such an agreement for Farmers Telephone Cooperative, Inc. ("FTC"), and FTC hereby elects to have the rates, terms, and conditions of its services determined pursuant to the alternative regulation plan described herein (the "Plan"), which conforms with the plan described in S.C. Code Ann. § 58-9-576(B).

FTC currently has on file with the Commission interconnection agreements between FTC and the entities listed below, none of which is affiliated with FTC.

Sprint Communications Company, L.P. (effective September 1, 2007)
Managed Services, Inc. (effective June 1, 2007)
MCImetro Access Transmission Services, LLC (effective December 20, 2005)

In addition, FTC has a number of Resale Agreements with various unaffiliated entities on file with the Commission.

The Plan described herein is in lieu of other forms of regulation including, but not limited to, rate of return or rate base monitoring or regulation.

2. Effective Date

The effective date of the Plan is May 1, 2008, which is not sooner than thirty days after filing with the Commission notice of election of the Plan. The Plan will apply to all local services offered by FTC that are regulated by the Commission.

3. The Plan

- a. As of March 17, 2008, the date of notice of election of the Plan, existing rates, terms, and conditions for the services provided by FTC contained in FTC's then-existing tariffs and contracts are considered just and reasonable.
- b. FTC is a "small LEC" for purposes of S.C. Code Ann. § 58-9-576(B)(3). S.C. Code Ann. § 58-9-10(14) defines "small LEC" to mean a "rural telephone company" as defined in the federal Telecommunications Act of 1996.
- c. Although FTC is a "small LEC" for purposes of S.C. Code Ann. § 58-9-576(B)(3), FTC's flat-rated local exchange services for residential and single-line business customers are currently priced at the statewide average local service rates for those services, weighted by number of access lines, as shown in FTC's local service tariff on file with the Commission. Therefore, the requirements of S.C. Code Ann. § 58-9-576(B)(3) and (4) are not waived for FTC, and FTC's residential and single-line business rates shall be frozen for a period of two years from the date of election of this Alternative Regulation Plan and, after the expiration of the two-year period, may be adjusted on an annual basis pursuant to an inflation-based index.
- d. FTC will set rates for all other services on a basis that does not unreasonably discriminate between similarly situated customers. All such rates are subject to a complaint process for abuse of market position in accordance with Commission rules and procedures.
- e. Except when exempted by law, FTC will file tariffs for price changes or new services with respect to its local exchange services (including residential and single-line business services) that set out the terms and conditions of the services and the rates for such services. Tariffs will be presumed valid and become effective seven days after filing for price decreases and fourteen days after filing for price increases and new services.
- f. As provided for in S.C. Code Ann. § 58-9-576(B), the Plan applies in lieu of rate of return or rate base regulation. Thus, the procedures set forth above for changes in rates are to be used in lieu of traditional rate-of-return procedures for determining rates, terms, and conditions for service, as found in S.C. Code Ann. §§ 58-9-510 through -570 and in 26 Code Ann. Regs. 103-834(A)(3).

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

Docket No. 2008-_____-C

IN RE: Farmers Telephone Cooperative, Inc. Alternative)
Regulation Plan Filed Pursuant to S.C. Code)
Ann. § 58-9-576) **AFFIDAVIT**
) **OF**
) **JEFFREY L. LAWRIKORE**


STATE OF SOUTH CAROLINA

COUNTY OF WILLIAMSBURG

PERSONALLY APPEARED BEFORE ME the undersigned WHO, BEING DULY
SWORN, deposed and said:

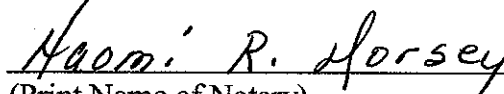
1. My name is Jeffrey L. Lawrimore. I am employed by Farmers Telephone Cooperative, Inc. (the "Cooperative") as its Chief Financial Officer. I am an officer of the Cooperative and I am authorized to give this affidavit on behalf of the Cooperative.
2. Farmers Telephone Cooperative, Inc., hereby certifies that it is not affiliated with the following entities: Sprint Communications Company, L.P.; Managed Services, Inc.; and MCImetro Access Transmission Services, LLC.

FURTHER AFFIANT SAYETH NOT.


Jeffrey L. Lawrimore
Chief Financial Officer

Subscribed to and sworn before me this 12th day of March 2008.


NOTARY PUBLIC FOR SOUTH CAROLINA


(Print Name of Notary)
My Commission Expires: MY COMMISSION EXPIRES APRIL 29, 2014

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING

DOCKET NO. 2008- -C

Farmers Telephone Cooperative, Inc. ("FTC") has filed with the Public Service Commission of South Carolina ("Commission") a request to have its rates, terms and conditions determined pursuant to the plan described in S.C. Code Ann. § 58-9-576(B). Pursuant to S.C. Code Ann. § 58-9-576(A), any local exchange carrier ("LEC") may elect to have the rates, terms and conditions of its services determined pursuant to the alternative regulation plan described in S.C. Code Ann. § 58-9-576(B), provided the Commission has approved a local interconnection agreement in which the LEC is a participant with an entity determined by the Commission not to be affiliated with the LEC. The Commission has approved agreements between FTC and the following entities: Sprint Communications Company, L.P. ("Sprint") (effective September 1, 2007); Managed Services, Inc. ("MSI") (effective June 1, 2007), and MCImetro Access Transmission Services, LLC ("MCI") (effective December 20, 2005). An officer of FTC has filed an affidavit stating that FTC is not affiliated with Sprint, MSI, or MCI. FTC elects to have its rates, terms, and conditions determined pursuant to the Plan described in S.C. Code Ann. § 58-9-576(B) as set forth in its Alternative Regulation Plan, effective date May 1, 2008.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, the Commission's website at www.psc.sc.gov, and is available from Margaret M. Fox, Esquire, McNair Law Firm, P.A., P.O. Box 11390, Columbia, SC 29211. Interested persons may contact the Commission or counsel for FTC for additional information concerning the Plan. *Please refer to Docket No. 2008-____-C.*

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211

{date}